

United States District Court
For the
Middle District of Pennsylvania
FILED
WILLIAMSPORT

JUL 11 2011

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Norman N. Shelton
Plaintiff

"vs"

Case No. 4:11-cv-00368 WJM-DB

defendants

Warden Bledsoe et al.

Brief in Support of plaintiff's amended Complaint

Statement of the Case:

1.) On February 25, 2011 Norman N. Shelton, an inmate confined in the United State penitentiary, Lewisburg [USP Lewisburg] Pennsylvania filed the above captioned Bivens action pursuant to 28 U.S.C. § 1331. plaintiff names as defendants thirty-two (32). Employees of U.S.P. Lewisburg. plaintiff raises claims of deliberate indifference to his safety and excessive use of force with regard to events surrounding an August 30, 2009 assault upon plaintiff cell mate and another assault on Nov. 26, 2009 by officials force plaintiff against his will to take another gang member into his cell. plaintiff also raises racial discrimination by staff and complaints of the malicious mistreatment, including "corporal punishment, the use of restraints to cause harm and suffering to plaintiff, harassment and being deprived of water, lights and sleep.

Argument:

2.) When prison officials subject inmates to serious punishments by their own omission, must observe the safeguards of due process. Wolff v. McDonnell 418 U.S. 539, 556 59, 94 S.Ct 2963 (1974). Gillbert vs. Frazier, 931 F.2d 1581

Continue. Argument:

3.) 1582 (7th Cir 1991) Warden Bledsoe violated due process towards plaintiff allowing D.H.O. Hearing examiner Chambers to find plaintiff guilty with no evidence and not allowing plaintiff to call witness. Hearing examiner Chambers failure to provide a meaningful explanation of the finding of guilt "plaintiff Kicked at the inmate who was assaulting him and never once did plaintiff connect or touch his attacker but was found guilty by hearing examiner.

Forbes v. Trigg, 976 F.2d 308, 316-17 (7th Cir, 1992)

4.) The conduct displayed and was committed by % Hamilton, %whittaker, % Vegh, % Ditz under A.W. Hodson order to deprive plaintiff of his rights, privilege under the constitutional law of the United States...

Natale v. Camden County. Corr. Facility, 318 F.3d 575, 580-81 (3d Cir. 2003).

5.) All the named defendants. personal involvement in retaliation to get back at plaintiff by wrongdoing is necessary for the imposition of liability in a civil rights case such as this one. Evancho v. Fisher, 423 F.3d 347, 353 (3d Cir 2005). Sutton v. Rasheed, 323 F.3d 236, 249, 50 (3d Cir. 2003).

6.) All the by standard LIT. @ watch and did nothing to stop the many attack and assaults from their officers and themselves. LIT. @ Mattenly, LIT. Scampone, LIT. Galletta LIT. Johnson LIT. sasseamen LIT. Harper LIT. Hepner supervisory who is liable in this civil rights action, all done under the scope of their employment. They all knew of and acquiesced in, the deprivation of plaintiff's constitutional rights Rode v. Dellarciprete. 845 F.2d 1195, 1207-08 (3d Cir. 1988).

Continue: Argument,

7.) Liability cannot be imposed on the defendants base on superior theory... However in this case and claiming plaintiff gave them actual knowledge of filing grievance, stopping them to express complaints, showing wounds plaintiff received from the restraints, and the black eyes busted Lips done by L.T. scampone L.T. sasseamenn % whittaker % Hamilton % Ditz % Vegh L.T. johnson captain Trate A.W. Hudson all played a part in causing harm, denying, delaying, medical treatment from plaintiff, plaintiff express to this honorable judge Muir, "They all knew, They all took part in, Harassing, punching, mistreatment, unprofessional conduct towards me.
Discussion:

May GOD show you the pain and blood that I spilled and the suffering that I had to endure, may GOD show you the truth of who these criminals really are, they abuse their authority and hide behind the bureau, May GOD show you to turn the in-justice around and give justice to me. GOD willing.
conclusion,

plaintiff state under penalty of perjury the above is true and correct to the best of his understanding.

Respectfully submitted
Norman A. Shelton #45969066
U.S.P. Lewisburg
P.O. Box 1000
Lewisburg Pa 17837.

Inmate Name: W
Register Number:
United States Penitentiary

P.O. Box 1000
Lewistown, PA 17837

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